

Christopher Militello

From: Christopher Militello
Sent: Thursday, April 06, 2017 9:26 AM
To: 'Willa Payne'
Subject: RE: S [REDACTED] - FOR SETTLEMENT PURPOSES ONLY - INADMISSIBLE FOR ANY OTHER PURPOSE

Willa -

The process by which a student in V [REDACTED]'s circumstances could pursue a TASC diploma (formerly known as a GED) is somewhat involved, as it requires testing to determine his level of ability. If there becomes a realistic possibility of settlement that would include his pursuit of a GED, we can discuss it in more detail. At this point, we really can't speak to whether it is possible for him to obtain a diploma in time to qualify to enroll in college next fall (which, I understood from our conversation to be the ultimate question you are trying to answer), other than to say that the longer he waits, the less likely he would be to have any option that meets that goal.

Christopher M. Militello, Esq.
The Law Firm of Frank W. Miller
Office: (315) 234-9900
Cell: (315) 794-6920
cmilitello@fwmillerlawfirm.com

-----Original Message-----

From: Willa Payne [mailto:wpayne@lscny.org]
Sent: Wednesday, April 05, 2017 2:33 PM
To: Christopher Militello <cmilitello@fwmillerlawfirm.com>
Subject: RE: S [REDACTED] - FOR SETTLEMENT PURPOSES ONLY - INADMISSIBLE FOR ANY OTHER PURPOSE

Chris-

Thank you. Apologies, I thought we did discuss that and you said something about him having to switch classes or something along those lines. I realize I didn't specifically ask you to check on that though. Let me know.

Willa

Please Note My Change of Address and Phone Number Willa S. Payne, Esq.
Staff Attorney, The Advocacy Group
Legal Services of Central New York, Inc.
189 Main Street, Suite 301
Oneonta, NY 13820
Phone: 607-766-8118
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-----Original Message-----

From: Christopher Militello [mailto:cmilitello@fwmlawfirm.com]

Sent: Wednesday, April 05, 2017 2:28 PM

To: Willa Payne <wpayne@lscny.org>

Subject: RE: S [REDACTED] - FOR SETTLEMENT PURPOSES ONLY - INADMISSIBLE FOR ANY OTHER PURPOSE

I didn't ask about that since you never mentioned it. I can ask and get back to you.

Christopher M. Militello, Esq.

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-----Original Message-----

From: Willa Payne [mailto:wpayne@lscny.org]

Sent: Wednesday, April 05, 2017 2:27 PM

To: Christopher Militello <cmilitello@fwmlawfirm.com>

Subject: RE: S [REDACTED] - FOR SETTLEMENT PURPOSES ONLY - INADMISSIBLE FOR ANY OTHER PURPOSE

FOR SETTLEMENT PURPOSES ONLY

Chris-

What about a general equivalency diploma?

Willa

Please Note My Change of Address and Phone Number Willa S. Payne, Esq.

Staff Attorney, The Advocacy Group

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-----Original Message-----

From: Christopher Militello [mailto:cmilitello@fwmlawfirm.com]

Sent: Wednesday, April 05, 2017 1:38 PM

To: Willa Payne <wpayne@lscny.org>

Subject: RE: S [REDACTED] - FOR SETTLEMENT PURPOSES ONLY - INADMISSIBLE FOR ANY OTHER PURPOSE

FOR SETTLEMENT PURPOSES ONLY - INADMISSIBLE FOR ANY OTHER PURPOSE

Willa -

The below information is provided for settlement purposes only. It is based upon the assumption of an April 3 starting date back to school:

The student needs to pass every class on the student's schedule in order to graduate in June 2017. That would give the student the minimum 22 credits required for graduation.

In the judgment of school administration, the student would not have enough time to complete the required minutes of chemistry lab to sit for the June Regents Chemistry exam.

The student could possibly graduate in August. He would need to make up physical education days, including all third marking period course work for economics, forensics II, foundations of math, English 12 and chemistry. The only way this could happen is through extended instruction for the rest of the year (after school instruction) and over summer for an August graduation date.

Since the student would not have completed the 1200 minutes of required seat time for chemistry lab, the principal would have to grant (based on teacher recommendation) local science credit for chemistry. The student would not be eligible to enroll in chemistry BOCES summer school without having 1200 lab minutes completed during the school year.

Also, per your request, attached is the settlement proposal letter that was sent to Ron Benjamin on January 23, 2017.

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-----Original Message-----

From: Willa Payne [mailto:wpayne@lscny.org]
Sent: Wednesday, April 05, 2017 11:35 AM
To: Christopher Militello <cmilitello@fwmillerlawfirm.com>
Cc: Susan Young <syoun@lscny.org>; Josh Cotter <jcotter@lscny.org>
Subject: RE: [REDACTED]

Chris-

Hoping to have this information today if you could check on it. Thank you.

Willa

Please Note My Change of Address and Phone Number Willa S. Payne, Esq.
Staff Attorney, The Advocacy Group
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-----Original Message-----

From: Christopher Militello [mailto:cmilitello@fwmillerlawfirm.com]

Sent: Friday, March 31, 2017 6:13 PM

To: Willa Payne <wpayne@lscny.org>

Subject: S [REDACTED]

Willa -

I did speak with my client about V [REDACTED]'s chances of graduating if he started back at school on Monday. They confirmed generally that he could not, without tremendous remedial effort, meet requirements to graduate in June . They are going to provide us with a more detailed view of his standing in writing, hopefully by Monday, but I wanted to get you some response tonight. I'll follow up with any further information when I have it.

Chris

Sent from my iPhone